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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHN F. HUTCHENS,

Plaintiff,

v.

UNITED STATES OF AMERICA STATE  
OF CALIFORNIA, et al.,

Defendants.

Case No. 18-cv-03465-JD

**ORDER ADOPTING REPORT AND  
RECOMMENDATION AND  
DISMISSING COMPLAINT WITH  
LEAVE TO AMEND**

Re: Dkt. No. 13

Magistrate Judge Spero has filed a report with the recommendation that the complaint be dismissed under 28 U.S.C. § 1915(e)(2)(B). Dkt. No. 13. The complaint is largely unintelligible, and plaintiff Hutchens failed to amend his complaint to clarify his claims. Dkt. No. 9. The Court adopts the report and recommendation and dismisses the complaint without prejudice.

Hutchens may file an amended complaint by **September 13, 2018**. Failure to file an amended complaint will result in dismissal of this case with prejudice. Fed. R. Civ. P. 41(b).

**IT IS SO ORDERED.**

Dated: August 14, 2018



JAMES P. DONATO  
United States District Judge